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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT	PAPER NUMBER
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2623  
DATE MAILED:

5  
12/20/00

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.  
**09/239,013**

Applicant(s)  
**Yoichi Takaragi**

Examiner  
**Danny Do**

Group Art Unit  
**2623**



☒ Responsive to communication(s) filed on Jan 29, 1999

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 1-29 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1-29 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☒ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been  
☒ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 3

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

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## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to under 37 CFR 1.83(a) because they fail to show feature 1001 and 1002 in Fig.7 as described in the specification on page 16, lines 7-11. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Correction is required.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of US Patent 5,257,119 to Funada and US Patent 5,822,660 to Wen.

As to claim 1, Funada discloses an image processing apparatus (column 3, line 46 through column 4, line 4) comprising hiding means for forming second identification information not easily recognizable with eye (added pattern is substantially imperceptible to a human viewer; column 8, lines 30-34), said hiding means also for setting the second identification information

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in image data containing the first identification information (i.e., pattern represents machine serial number; column 8, lines 56-60).

Funada also discloses that any other patterns that is not easily recognizable with eye can be added (i.e., for example, machine manufacturing date, machine lot number, a machine version name and the copying date; column 9, line 51 through column 10, line 5) with second identification information (i.e., the machine serial number) to print them on the image document but Funada does not explicitly say other patterns is a copyright information.

Wen discloses first identification information (44 in Fig.4) relating to a copyright (column 4, lines 65-67) and not easily recognizable with eye (column 3, lines 38-40 and lines 45-47).

Therefore, it would have been obvious to modify Funada's apparatus to utilize first identification information relating to copyright, as taught by Wen, in addition with the second ID information of Funada to provide more detail on the source material in order to allow the criminal investigator to trace the counterfeiter easily leading to significantly deter and reduce the copyright violations.

As to claim 2, the combination of Funada and Wen discloses an image processing apparatus according to Claim 1, wherein the first identification information (Wen: 44 in Fig.4; column 3, lines 16-25 and column 4, lines 65-67) is formed by a first color signal (Wen: 44 in Fig.4; yellow color in column 4, lines 34-42), and said hiding means comprises color conversion

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means for performing color conversion of the image data (Wen: 48 and 50 in Fig.4), and forming means (Funada: 410 in Fig.1) for forming the second identification information (Funada: i.e., pattern represents machine serial number; column 8, lines 56-60) by a second color signal different (Funada: the determination circuit will determine which color signal (R or G or B) will be used to add to the image at specific location; column 4, line 64 through column 5, line 29) from the first color signal (Wen: yellow color in column 4, lines 34-42) forming the color converted first identification information (Wen: 44 in Fig.4; yellow color in column 4, lines 34-42) in the color converted image data (Wen: 50 in Fig.4).

As to claim 3, the combination of Funada and Wen discloses an image processing apparatus according to Claim 1, wherein the first identification information has a first block size (Wen: copyright information in the text form with different font sizes or in the cryptographic form or the copyright symbol in which both forms also has sizes; column 4, lines 34-41 and lines 64-65), and said hiding means forms the second identification information having a second block size (Funada: 1001 in Fig.10).

As to claim 4, the combination of Funada and Wen discloses an image processing apparatus according to Claim 3, wherein said hiding means comprises color conversion means for performing color conversion of the image data (Funada : 408 in Fig.1), and sets the second

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identification information having the second block size in the color-converted image data (Funada: 1001 in Fig.10).

As to claim 5, the combination of Funada and Wen discloses an image processing apparatus according to Claim 4, wherein each of the color-converted first identification information (Wen: 44, 48 and 50 in Fig.4) and the second identification information is formed by a yellow signal (Funada: column 8, lines 30-34 and lines 56-60).

As to claim 6, the combination of Funada and Wen discloses an image processing apparatus according to Claim 1, wherein the first identification information is formed by a signal for a thin color (Wen: yellow color at a low density in column 4, lines 36-43).

As to claim 7, the combination of Funada and Wen discloses an image processing apparatus according to Claim 1, wherein the first identification information is set as a frequency component of the image data (Wen: column 4, lines 39-41).

Claims 8-14 recite a method which corresponds to an apparatus of claims 1-7 respectively. Arguments analogous to those presented above for claims 1-7 are applicable to claims 8-14 for their common features. The apparatus for performing Funada and Wen's method is inherent in their teaching.

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With regard to claims 15-18 and 26-29, see discussion provided above for claims 1-4 which in view of a computer-readable storage medium shown in Funada's element 8001 in Fig.30 and Wen's element 14 in Fig.1.

Claims 19-25 recite limitations similar to those recited in claims 1-7 respectively. Arguments analogous to those presented above for claims 1-7 are applicable to claims 19-25 for their common features.

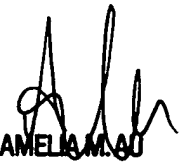
***Contact Information***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Danny Do whose telephone number is (703) 306-5914. He can normally be reached Monday through Thursday from 8:30am to 6:00pm, and on alternate Fridays.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-8576. The Working Group FAX number is (703) 308-5397.

DD

December 18, 2000

  
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